

In The Matter Of:

*Jacob Cooper v.
Lynn Brown, et al.*

*Jared L. Zwickey
August 7, 2015*

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Original File 080715.txt

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1 Q. And that applies to any law enforcement officer
2 who would wish to be -- you don't call him certified --
3 or do you? How would you refer to that officer who's met
4 that basic criteria?

5 A. Well, I would refer to them -- whether it's a
6 male or a female officer that goes through their training
7 program, it's up to the individual agency because of the
8 liability issues, obviously.

9 Q. Sure.

10 A. Nothing more than going through a training
11 program if you're going to be an evaluator, or you're
12 going to be a firearms instructor.

13 Q. So when a canine officer comes to your program
14 or goes through -- meets the objective criteria for POST,
15 is he deemed to be certified or is he called -- or deemed
16 to be approved; or how is he referred to, he or she?

17 A. Well, basically, what the evaluation does, it
18 shows that they have the ability to perform patrol duties
19 as a team between the dog and the handler. It's up to
20 the agency whether or not to, quote, certify them for
21 service.

22 Q. Okay.

23 A. Because the agency is the one that incurs the
24 liability of putting an individual on the street that, A,
25 is not qualified with, you know, the regular

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1 certification process by the state or levels of training,
2 so.

3 Q. Now, how often do you have to get recertified as
4 an evaluator?

5 A. I don't.

6 Q. Once you've taken the basic course, then you're
7 good?

8 A. Depending on your level of expertise, right.

9 Q. And who determines that level of expertise; what
10 is that based on?

11 A. Based on the state of California. They look at
12 your resume and determine whether or not you're what we
13 refer to as a SME, subject matter expert, for the state
14 of California.

15 Q. And is that -- when we say state, are you
16 referring to the POST committee or some other
17 governmental agency or body?

18 A. Yeah. We have to remember, in POST, the acronym
19 for the commission is certified under statute, California
20 Penal Code statute. So it's a commission that's
21 recognized by the Department of Justice and certifies
22 underneath the Department of Justice any program, any
23 individual.

24 Q. Is there a national standard on how many hours
25 are necessary to qualify an officer as a competent or

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1 A. Yeah. It would be my assumption, after talking
2 with the trainer, that there's not going to be an
3 electronic collar on him. There's not going to be a long
4 lead on the individual dog. That he's going to be able
5 to do it from a distance. According to this trainer,
6 that's a requirement.

7 And I'm familiar with that particular training
8 agency and the training requirements. Nothing different
9 than I have expected my training -- my officers that were
10 trained as canine handlers -- or what I went through as a
11 canine handler that happened way back in the '90s till
12 today. There's no difference in that. You've got to
13 maintain control of the dog.

14 Q. And I was going to ask, you don't have any
15 criticisms of that particular training facility upon
16 which --

17 A. I didn't see anything in the material that I've
18 seen before, know of their product, or listening to the
19 trainer, no, I did not have any criticisms of him.

20 Q. Okay. And, so, to get a certification, he would
21 have had to exercise voice control, correct?

22 A. That's correct.

23 Q. Okay. You talk about bite apprehension, bite
24 ratios in the report. There is no national standard, or
25 even state standard, on department bite ratios, correct?